
PEOPLE FOR CHILDREN'S HEALTH & ENVIRONMENTAL JUSTICE

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California Environmental Protection Agency
Mr. Terry Tamminen
Secretary
1101 I Street
Sacramento, CA 95812

Dear Secretary Tamminen,

I am recommending the community, Midway Village located in Daly City, California be selected for the Northern California project, as one of the 3 pilot projects under the Conduct Cumulative Health Impacts Reduction Plan (CHIRP) under the EJ Action Plan 2004.

Midway Village a low-income community of color, living directly on top of a superfund site, remains contaminated with over 350 toxic cancer-causing chemicals. Even though Midway was removed off Cal EPA's (DTSC) superfund list in 1983 (no removal was done at that time), ironically the same year W.R. Grace the construction company who built Midway, was ordered to destroy all 134 files of Midway Village, Midway still remains contaminated with over 350 toxic chemicals in their community. Inadequate cleanup efforts took place in 1990 and 2002, removing 3 feet of contaminated soil and covering over it with a concrete slab. Residents were allowed to live in units while remediation was taking place and currently is still living there. In addition, even though Midway Village was confirmed with the same high level toxins as Pacific Gas & Electric Co (contaminated soil came from PG&E), it was never listed on the Federal superfund list even though it sits adjacent to PG& E Co (being separated by a fence) which was on Federal Region 9's list for remediation work in 1979-80. Cal/Federal EPA documents confirm actions, and decisions, made and taken at Midway Village, have and continues to violate their right to public participation, right to know and inclusion in the decision making, which have in the past and presently, negatively impacts their health and environment. In 1993 Black Mold was found at Midway, but again residents were not informed of the findings, nor told of potential health hazards. The mold was simply painted over.

Both Cal EPA and Federal EPA refuse to list Midway Village as a current superfund site even though it remains contaminated with over 350 carcinogens which includes PNA/PAH. Midway's accepted PNA/PAH's cleanup level had been 10ppms (hotspot levels of 15,000ppms – 185,000ppms were confirmed thru-out PG&E and Midway) from 1990-2002. This is very significant because that standard WAS NOT acceptable and considered a health risk for industrial sites in California, however it was acceptable for Midway Village and it's residents by both DTSC and Region 9. We (PCHEJ) continued to demand accountability from decision-makers who allowed these injustices, which resulted in both Cal/Federal EPA changing the standard to

.009 in 2002, but those in charge of supposedly protecting public health still allowed residents to live there and their lives and health be at risk by continued toxic exposure. DTSC conducted another inadequate cleanup effort in 2002, which resulted in removing Midway off their action site list in 2002. Currently Midway's case is in the Federal Region 9 superfund division and is treated as such, but is not listed on their superfund list. No matter how agencies want to mislabel, classify and ignore the facts, previous actions taken at Midway Village over the years confirm Midway Village remains and currently is a superfund site.

Facts are decisions made by Cal and Federal Environmental Protection Agency have miserably failed this low-income community of color. These decisions have resulted in Midway suffering many years of toxic exposure, chronic diseases, illnesses (childhood learning and physical disabilities, brain and stomach tumors, chronic bloody noses, high cancer rates, high asthma rates, high rate miscarriages, neurological disorders), and DEATH that were preventable. These decisions currently are still minimizing the negative health impacts and preventable suffering of Midway's current, former residents, visitors and those exposed to Midway's toxic contaminated environment.

Now is the time to reverse both Cal EPA, and Federal EPA's, accepted decisions and opinions that it is okay for this community to live directly on top of and adjacent to a superfund site Pacific Gas & Electric Co and that Midway's chronic diseases and illnesses are minor irritations. People are dying because of these accepted practices which must stop immediately. Now is time for agencies responsible for protecting public health to stop protecting Corporations or industry contaminating our communities, and finally beginning the attainable task of protecting our communities most vulnerable and least able to protect themselves, their families and environment.

Midway Village is a perfect model to use if we are to truly begin to move forward in a progressive, environmental justice path for all. Because of all the injustices (inadequate cleanup, destruction of documents, lack of PP, agencies allowing PG&E to use their own data to minimize health risk and impacts, agencies allowing current ongoing exposure etc.), Midway Village has suffered it is only fair that we start there to begin to reverse and stop the negative impacts that have already occurred. We have spent 2 years and more implementing changes to begin the process of REAL environmental justice especially for disproportionate impacted disenfranchised communities, now is the time to implement and put them to action as a model for other states to follow.

We look forward to working with you on this project.

Sincerely,

LaDonna Williams
People for Children's Health
& Environmental Justice